

264. You cannot give me any idea of the distance the tail-lights were in front of you?—It would be some 500 or 600 yards; but it was only just a very slight glimmer. The weather was so thick.

265. At a distance of 500 or 600 yards you saw the tail-lights. Does it not suggest itself to you that you should not have gone rushing on?—Yes. I did everything in my power, and found my brakes would not act, and then I gave the danger-whistles. I actually gave the danger-whistles before I saw the danger ahead of me.

266. *Dr. Giles.*] What was the object of the danger-whistles?—To warn the Stationmaster that I was coming in and could not stop.

267. The other witness said it was to get the brakes put on?—It is both to warn the station and to warn the guard, so that he will put his brakes on and prepare the station in case of danger.

268. *Mr. Pendleton.*] Did you after the accident promptly attribute the collision to the failure of your brake, when speaking to the Stationmaster or any other official?—Well, I do not know that I spoke to the Stationmaster.

269. To any one, I say?—I could not say now whether I did or not. It is so long ago.

270. Have you ever attributed the accident to any other cause than your brake-failure?—No, I do not think so, any more than I have just said—that if I had been warned at Chertsey I should have found out the failure of the brake.

271. Did you ever state to any person in the service that the accident arose through your mistaking the distance of the tail-lights of the first excursion train, and that when you were aware of your mistake it was then too late to stop your train?—Not in that way.

272. In what way, then? Will you give it in your own language?—Only what I have stated.

273. Did you ever state that you thought the tail-lights were further down the station-yard than they actually were, and that when you found out your mistake you could not stop in time?—Not when I found out the mistake. I did state that I thought they were further away; but that made no difference to my stopping, because I was bound to stop outside the station limits at all hazards, if possible.

274. Did you state to any one that you attributed the error in judging distance to the wind and the rain, and that that was what brought about the collision?—No.

275. This telegram is sent in the name of Mr. Gaw by Mr. Stringleman, and he alleges that you made this statement to him in the presence of a witness?—I cannot say what statement I did make then, because I was in a flurried state, and I had not time to collect myself, just after bringing the train from Rakaia.

276. There is another telegram in the name of Mr. Gaw: "Rakaia collision: The driver of the second special, who at first stated he had found the brake defective on approaching Rakaia, now admits that his brakes were all right and acting properly"?—Yes, the brake acted all right before I left Ashburton and after I left Rakaia. I thought something must have come uncoupled, but on examining the engine I tried and found it went on. I could not understand it, because I had never heard about the brake sticking up before.

277. "The driver, who at first stated that he had found the brake defective on approaching Rakaia, now admits that the brake was all right"?—Not all right when I was coming into the station, because the brake never went on. But it acted well before and well after. It worked well at Ashburton. I had had the engine somewhere about three months, and had never found any failure about the brake before.

278. *Dr. Giles.*] Your answer is that you never did admit that the brake was all right on that point?—Not on that point—going into the station.

279. The telegram says you made that admission. You say now that you did not make that admission?—Not at the time of the accident. What I said was this: The brake acted well before I left Ashburton, and was all right after leaving Rakaia, and even before I left Rakaia I tried it and it went on all right; but at the time of accident going in the brake did not act.

280. The question put to you is, Did you ever admit that at the time of going in it did act?—No, I did not.

281. *Mr. Pendleton.*] How long have you been working this particular engine?—I could not exactly say. Mr. Beattie would be able to tell you that. Somewhere about three months, off and on.

282. Had you any reason to complain of the brake before?—No; only because it was too tight in the grip.

283. Did you make any report about a month before this accident, stating that the brake was working very well?—Yes, I made reports after getting the engine from Dunedin, about the conveniences made on the foot-plate being satisfactory. I admit all that.

284. And the brake worked all right after leaving Rakaia, when you took the train on to Christchurch?—Yes, as well as it did any time before, and it worked well at Ashburton when I was shunting there. I had no cause to think it was going to stick in any way. I am not well acquainted with the Westinghouse brake—the interior of the brake, the treble valves, and so on.

285. Had you not been working the Westinghouse brake before?—Only the steam-brake for years.

286. How long were you working the Westinghouse brake?—Somewhere about three months, off and on.

287. I do not quite see the point you wish to make—that you are not well acquainted with it?—I do not know how the valves are placed. After I had the engine a day or so I asked Mr. Dickenson if he had any drawings of the brake, or any information he could give me.

288. I ask you how a knowledge of the valves would assist you in the brake-power?—They might get dirty, or I might use the wrong oil through my ignorance in not knowing.

289. Is it your ignorance of the machinery that makes you think that on this occasion the brake went wrong and then went right immediately afterwards?—I cannot say that it is.